

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34648 of 2017

Arising Out of PS.Case No. -34 Year- 2017 Thana -MANPUR District- NALANDA
(BIHARSHARIFF)

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1. Santosh Jamadar Son of Vishun Jamadar, R/o Village- Belchhi Sharif,
P.S.- Manpur, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramod Kumar

For the Opposite Party/s : Mr. Sri Kumar Ranjit Ranjan

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-09-2017 The petitioner seeks regular bail in connection with

Manpur P.S. Case No. 34 of 2017, registered for offences

punishable under Sections 147, 342, 337, 353, 307, 511 of the

Indian Penal Code and Section 30(a) of the Bihar Prohibition and

Excise Act and Section 25(1-b)A & 26 of the Arms Act.

Prosecution case is that police on informant that

petitioner and others were engaged in manufacturing illicit country

made wine, raided the place, where petitioner and others assaulted

the police party.

It has been submitted on behalf of the petitioner that even

if the allegation is believed to be true only one litre of country

made liquor has been recovered from the place of occurrence and

not from the possession of the petitioner and it has been mentioned



in the F.I.R itself that petitioner fled away, therefore, there is no allegation against the petitioner is of assaulting the police party. Further petitioner has no criminal antecedent and he has been in judicial custody for last three months.

Heard learned A.P.P. also.

Having heard both sides, in view of the fact that petitioner's name transpired on this case only on the basis of confessional statement of co-accused and except that there is nothing against the petitioner, let the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge –VI, - Cum-Special Judge, Nalanda, in connection with Manpur P.S. Case No. 34 of 2017, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and



when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

It is also made clear that if the petitioner again found involved in any of such offence, in future, his bail bonds will be cancelled.

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(Vinod Kumar Sinha, J)

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